IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 12292 of 2007
Date of decision: 10.8.2007

Ajmer Ram and others ...Petitioners

Versus

State of Haryana and others ...Respondents.

CORAM:- HON'BLE MR. JUSTICE K.S.GAREWAL
HON'BLE MR. JUSTICE S. N. AGGARWAL

Present: Mr. Rakesh Gupta, Advocate,
for the petitioners.

K.S.GAREWAL, J.

The petitioners have filed this petition to challenge the partition proceedings under the Punjab Land Revenue Act.

The mode of partition was finalised on August 31, 1998 after hearing the parties and objections were invited on the scheme of partition. Objections were filed by one Chand Ram and the scheme of partition was directed to be amended on November 9, 2000 but since no amended scheme was produced, the earlier scheme was found to be correct on July 27, 2002. However, the order was reviewed on December 5, 2002 and the amended scheme was placed on record. Thereafter on February 4, 2003, the instrument of partition was finalised. The petitioners filed revision before

the Collector which was dismissed on January 9, 2004. The petitioners' appeal before the Commissioner was dismissed on January 10, 2007 and further revision filed before the Financial Commissioner was dismissed on May 24, 2007.

The petitioners' main ground is that the Assistant Collector Ist Grade had no jurisdiction to review the order on December 5, 2002, once the earlier scheme of partition had been finalised.

The matter has been agitated and re-agitated by the petitioners before the three levels of revenue courts who found absolutely nothing wrong in the manner in which the partition proceedings were conducted. There must be a finality to partition proceedings and that can only be achieved if the courts refrain from interfering in the proceedings on flimsy grounds. The petitioners have not been able to make out a case for interference. We find no merit in this petition.

Dismissed.

(K.S. GAREWAL)
JUDGE

10.8.2007 **(S. N. AGGARWAL)**
prem **JUDGE**